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Attorney Docket: 00035.08CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Joshua D. Rabinowitz, et al. ) Examiner: M. Haghighatian  
Serial No.: 10/749,536 )  
Filing Date: December 30, 2003 ) Group Art Unit: 1616  
For: DELIVERY OF ANTIHISTAMINES )  
THROUGH AN INHALATION ROUTE )  
Confirmation No.: 8873

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Applicant calls the Examiner's attention to the patents and publications listed on the attached Form PTO-1449, copies of required documents enclosed, which may be material to examination of the above identified application. The Examiner is requested to make these documents of record.

TIME OF TRANSMITTAL

This Information Disclosure Statement is being submitted under 37 CFR § 1.97(c). This Statement is filed after three months from the filing date of the national application, after three months from the date of entry into national stage under 37 CFR § 1.491, after the mailing of a first Office Action on the merits, or after the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR § 1.114, but before the mailing date of any of:

- (a) a final action under 37 CFR § 1.113;
- (b) a notice of allowance under 37 CFR § 1.311; or
- (c) an action that otherwise closes prosecution in the application.

37 CFR 1.8

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 7/22/2005.

Signature: 

Name: Tasha L. Pierce

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180.00 OP

This Statement is accompanied by a check for \$180.00 in accordance with 37 CFR §§1.97(c) and 1.17(p). The undersigned hereby authorizes the charging of any deficiency of fees submitted herewith to Deposit Account No. 19-5117.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. This listed patents and publications are believed of interest herein and consideration and citation of as interest by Examiner is respectfully requested.

Respectfully submitted,

Date: July 19, 2005



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S:\CLIENTFOLDERS\VALEXZA\35.08CON\00035.08CON IDS 07-18-2005.DOC

U.S. PATENT DOCUMENTS

EXAM. INITIAL		DOCUMENT NUMBER	DATE	NAME	CLS	SUB- CLS	FILE DATE
	1.	3,219,533	11/23/1965	Mullins			
	2.	4,141,369	02/27/1979	Burruss			
	3.	4,474,191	10/02/1984	Steiner			
	4.	4,708,151	11/24/1987	Shelar			
	5.	4,819,665	04/11/1989	Roberts et al.			
	6.	4,848,374	07/18/1989	Chard et al.			
	7.	4,924,883	05/15/1990	Perfetti et al.			
	8.	4,963,289	10/16/1990	Ortiz et al.			
	9.	5,042,509	08/27/1991	Banerjee et al.			
	11.	5,060,671	10/29/1991	Counts et al.			
	11.	5,135,009	08/04/1992	Muller et al.			
	20.	5,144,962	09/08/1992	Counts et al.			
	20.	5,224,498	07/06/1993	Deevi et al.			
	11.	5,345,951	09/13/1994	Serrano et al.			
	15.	5,511,726	04/30/1996	Greenspan et al.			
	16.	5,564,442	10/15/1996	MacDonald et al.			
	17.	5,666,977	09/16/1997	Higgins et al.			
	18.	5,819,756	10/13/1998	Mielordt			
	20.	5,855,913	01/05/1999	Hanes et al.			
	20.	6,095,134	08/01/2000	Sievers et al.			
	11.	6,131,570	10/17/2000	Schuster et al.			
	20.	6,136,295	10/24/2000	Edwards et al.			
	11.	6,155,268	12/05/2000	Takeuchi			
	24.	6,158,431	12/12/2000	Poole			
	25.	6,234,167	05/22/2001	Cox et al.			
	26.	2002/0117175	08/29/2002	Kottayil et al.			
	27.	6,701,922	03/09/2004	Hindle et al.			
	28.	6,772,756	08/10/2004	Shayan			

FOREIGN PATENT DOCUMENTS

EXAM. INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLS	SUB CLS	TRANS ?
	29.	GB 502 761	03/24/1939	Great Britain			
	30.	WO 97/36574	10/09/1997	WIPO			
	31.	WO 03/037412	05/08/2003	WIPO			

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.